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 CONCRETE, INC. and N.M.N. CONSTRUCTION, INC.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

LARGO CONCRETE, INC., a California
 Corporation; N.M.N. CONSTRUCTION,
 INC., a California Corporation.

Plaintiffs,

v.

LIBERTY MUTUAL FIRE
 INSURANCE COMPANY, a
 Massachusetts Corporation, and DOES 1
 through 100, inclusive.

Defendants.

Case No. C07-04651 CRB (ADR)
The Hon. Charles R. Breyer

**STIPULATION AND ~~[PROPOSED]~~
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE
 AND RELATED DEADLINES**

Current Date: 02/01/08
 Proposed New Date: 02/29/08

AND RELATED COUNTERCLAIM

Complaint filed: September 10, 2007

Plaintiffs/Counter-Defendants LARGO CONCRETE, INC. and N.M.N.
 CONSTRUCTION, INC ("Largo") and Defendant/Counter-Claimant LIBERTY
 MUTUAL FIRE INSURANCE COMPANY ("Liberty"), by and through their counsel,
 hereby enter into this Stipulation with respect to the following facts:

WHEREAS, on October 23, 2007, Liberty filed a Motion to Disqualify
 Roxborough, Pomerance & Nye, LLP from representing Largo in this matter;

WHEREAS, a hearing was held in this Court on Liberty's motion on December
 21, 2007;

1 WHEREAS, the Court filed its Order granting Liberty's motion on January 2,
2 2008;

3 WHEREAS, January 11, 2008 is the last day for the parties to meet and confer
4 regarding their initial disclosures, early settlement, ADR process selection, and
5 discovery plan, and file a Joint ADR Certification;

6 WHEREAS, January 25, 2008 is the last day for the parties to file their Rule 26(f)
7 Report, complete initial disclosures, and file a Case Management Statement;

8 WHEREAS, the Initial Case Management Conference ("CMC") is currently
9 scheduled to take place on February 1, 2008 at ~~10:00 a.m.~~ in Courtroom 8 of this Court;

10 WHEREAS, Largo has been unavailable and only received the Court's Order on
11 January 8, 2008, and therefore requires additional time to address the contents and
12 implications of the Court's Order prior to engaging in the required meet and confer
13 process under Rule 26;

14 For these reasons, IT IS HEREBY STIPULATED by the parties, through their
15 respective counsel of record, that the Court enter an Order as follows:

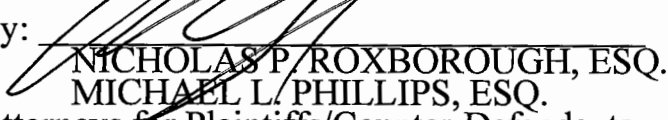
16 A. The Initial Case Management Conference currently scheduled for February
17 1, 2008 at ~~10:00 a.m.~~ in Courtroom 8 of this Court is continued to March 7,
18 2008 at ~~10:00 a.m.~~ ^{8:30 a.m.} in Courtroom 8 of this Court.

19 B. All other pre-CMC deadlines are continued as set forth in the Court's
20 September 10, 2007 Order Setting Initial Case Management Conference
21 and ADR Deadlines.

22 IT IS SO STIPULATED.


23 DATED: January 9, 2008

ROXBOROUGH, POMERANCE & NYE LLP

24
25 By: 
26 NICHOLAS P. ROXBOROUGH, ESQ.
27 MICHAEL L. PHILLIPS, ESQ.
28 Attorneys for Plaintiffs/Counter-Defendants,
LARGO CONCRETE, INC. and N.M.N.
CONSTRUCTION, Inc.

1 DATED: January 9, 2008

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

2
3
4 By: 
SCOTT SVESLOSKY
Attorneys for Defendant/Counter-Claimant
LIBERTY MUTUAL FIRE INSURANCE
COMPANY

7 **ORDER**

8 The Court, having read and considered the foregoing Stipulation, and good cause
9 appearing therefore,

10 IT IS HEREBY ORDERED AS FOLLOWS:

- 11 A. The Initial Case Management Conference currently scheduled for February
12 1, 2008 at ~~10:00 a.m.~~ in Courtroom 8 of this Court is continued to March 7,
13 **8:30 a.m.**
2008 at ~~10:00 a.m.~~ in Courtroom 8 of this Court.
- 14 B. All other pre-CMC deadlines are continued as set forth in the Court's
15 September 10, 2007 Order Setting Initial Case Management Conference
16 and ADR Deadlines.

17 DATED: January 11, 2008

18
19 Honorable Judge Charles R. Breyer

